

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF DELAWARE**

IN RE: Capmark Financial Group Inc., et al.

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Creditors Chord Associates LLC, et al.,	:	
	:	
Appellants,	:	
	:	
v.	:	C. A. No. 13-1788
	:	
Summit Crest Ventures LLC et al.,	:	Bankruptcy Case No. 09-13684
	:	
Appellees.	:	AP No. 13-100

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**RECOMMENDATION**

At Wilmington this **14<sup>th</sup>** day of **November, 2013**.

WHEREAS, pursuant to paragraph 2(a) of the Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District dated September 11, 2012, the court conducted an initial review, which included information from counsel, to determine the appropriateness of mediation in this matter;

WHEREAS, as a result of the above screening process, I find the issues involved in this case are amenable to mediation and warrant proceeding through the mediation process. The parties advised they desire mediation and requested the matter be referred to the Appellate Mediation Panel.

THEREFORE, IT IS RECOMMENDED that, pursuant to paragraph 2(b) Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), this matter be referred to the mediation panel, with notification to the Clerk's Office.

Local counsel are obligated to inform out-of-state counsel of this Order.

/s/ Mary Pat Thyng  
UNITED STATES MAGISTRATE JUDGE